



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

JUL 22 2016

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No. 7015 3010 0001 6837 8149

NOTICE OF VIOLATION

Susan Rosenberg
President and Chief Operating Officer
Aluf Plastics, Inc.
2 Glenshaw Street
Orangeburg, New York 10962

Re: **Notice of Violation No. 2**

API Industries, Inc. d/b/a Aluf Plastics, Inc. - EPA I.D. No. NYD 886 941 102

Dear Ms. Rosenberg:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of human health and the environment under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6901 et seq.

We have reviewed your May 26, 2016 response, submitted by Anthony Lawson, Engineering Project Manager for Aluf Plastics, Inc., in response to our second RCRA § 3007 Information Request letter dated March 25, 2016.

Given that a total of ninety (90) days were granted to respond to our requests for information, we had anticipated a full response in which all questions contained in the letter would have been adequately responded to. However, we have concluded that you have not provided most of the information requested in our letter. Question 1, for example, asks that you provide monthly quantities of solid and hazardous waste for the period January 2013 to December 2015; you only provided some information of waste generation *subsequent* to the inspection and without providing specific quantities.

This letter serves to notify you that you are in violation of RCRA § 3007. Pursuant to the provisions of Section 3007, 42 U.S.C. Part 6927, we hereby require that you *immediately* provide the information requested in Enclosure I to the March 25, 2016 letter using the instructions and definitions included in Enclosure II, consistent with our previous requests.

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As stated in the RCRA § 3007 Information Request Letters, failure to adequately respond to the requirements of RCRA § 3007 is a violation of RCRA and may result in federal enforcement action pursuant to Section 3008 of RCRA, 42 U.S.C. Section 6928. EPA may initiate formal enforcement actions that may include penalties of up to \$37,500 per day per violation, and/or other relief as provided by law, against you and/or API Industries, Inc. d/b/a Aluf Plastics, Inc.

Please provide all of the information requested in the second RCRA § 3007 Information Request Letter within five (5) calendar days to:

Mr. Ronald Voelkel
Environmental Scientist
RCRA Compliance Branch
Division of Enforcement and Compliance Assistance
U.S. Environmental Protection Agency- Region 2
290 Broadway, 21st Floor
New York, NY 10007-1866

If you have any questions regarding these or related matters, please contact Mr. Voelkel at (212) 637-1470 or voelkel.ronald@epa.gov.

Sincerely yours,



Leonard Voo, Chief
RCRA Compliance Branch
Division of Enforcement and Compliance Assistance

cc: Anthony Lawson, PMP
Engineering Project Manager
API Industries, Inc.
dba Aluf Plastics
2 Glenshaw Street
Orangeburg, New York 10962

Kelly Lewandowski, Chief
Hazardous Waste Compliance Section
New York State Department of Environmental Conservation